

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

JAMES EVERETT SHELTON AND JON
FREY, on behalf of themselves and others
similarly situated,

Plaintiffs,

vs.

DIRECT ENERGY, LP and KAA ENERGY,
INC.

Defendants.

Case No. 2:18-cv-4375-CMR

COMPLAINT – CLASS ACTION

PLAINTIFF’S MOTION FOR AN EXTENSION OF TIME

Plaintiffs James Everett Shelton and Jon Frey move the Court for an Order allowing them a 7-day extension to December 18, 2018 to allow them to file a response to Defendant Direct Energy, LP’s motion to dismiss the First Amended Complaint. (ECF No. 13). In support of this motion, Plaintiffs states that the undersigned lead counsel for the Plaintiff has had to travel out of state for a mediation since the Defendant filed its motion. Furthermore, the Plaintiffs filed an Amended Complaint on November 14, 2018 (ECF No. 10) in response to the original motion filed by Direct Energy on November 10, 2018 (ECF No. 4), when Fed. R. Civ. P. 15(a)(1)(B) and the local rules of this Court did not require them to file that Amended Complaint until November 24, 2018. Finally, while Plaintiff has attempted to confer with Direct Energy over the last two days regarding this extension, the Plaintiff has not received a response, but would be amenable to Direct Energy receiving a similar extension on any reply brief.

Accordingly, the Plaintiff respectfully submits that good cause exists for an order granting Plaintiff until December 18, 2018 to file a response to the Defendant's motion.

Plaintiff,
By Counsel,

Dated: December 11, 2018

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was filed through the Court's CM/ECF System on December 11, 2018, and a copy was automatically distributed to all counsel of records through that System.

/s/ Anthony I. Paronich